

NOV 19 2004

**To: United States Patent and Trademark Office****Fax: 703-872-9306****Recipient: Central Patent Correspondence - fax number**Total number of pages (including this sheet): 9

From: James W. Wieder

Customer number: 30875

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**Please identify the correspondence below:**Amendment A: Preliminary Amendment before first office action for Application  
10/605,879 (7 pages).

Patent Application Fee Determination Record (1 page).

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Office at the following number: 703-872-9306.

Date: Nov 19, 2004Inventor's Signature: James W. WiederInventor's Printed Name: JAMES W. WIEDER

NOV 19 2004

**In The United States Patent and Trademark Office**

Application Number: 10/605,879

Application Filed: Nov. 3, 2003

Applicant: James W. Wieder

Title: Adaptive Personalized Music &amp; Entertainment

Examiner/GAU: Not yet docketed / 2611

**Amendment A: Preliminary Amendment - Before First Office Action**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir,

Applicant respectfully requests that the above application be amended as follows:

**Amendments to the Claims:** Cancel all claims and substitute new claims 21 to 40  
as shown on following pages.

Very respectfully,

*James W. Wieder 11-19-2004*

James W. Wieder

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James W. Wieder 410-461-9543 Appl. 10/605,879 Prelim. Amendment before 1st Office Action 1 of 7

PTO/SB/06 (08-03)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PATENT APPLICATION FEE DETERMINATION RECORD**  
Substitute for Form PTO-875

Application or Docket Number  
**10/605,879**

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**CLAIMS AS FILED - PART I**

FOR	NUMBER FILED	NUMBER EXTRA		
BASIC FEE (37 CFR 1.16(a))				
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =	*	
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =	*	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**CLAIMS AS AMENDED - PART II**

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	20	Minus	20	= 0
Independent (37 CFR 1.16(b))	3	Minus	3	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))		Minus		=
Independent (37 CFR 1.16(b))		Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))		Minus		=
Independent (37 CFR 1.16(b))		Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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